

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL CHRISTI DIVISION**

**AZMI ABDELMAJID,
INDIVIDUALLY AND ON BEHALF
OF ALL OTHERS SIMILARLY
SITUATED**

v.

ENERSAFE, LLC

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CIVIL ACTION 2:11-cv-00448

**RESPONSE OF DEFENDANT ENERSAFE, LLC TO PLAINTIFF'S
UNOPPOSED MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the Defendant Enersafe, LLC and respectfully files and submits this its Response to Plaintiff's Unopposed Motion for Leave to File Amended Complaint as follows:

Counsel for the Plaintiff indicated in his Certificate of Conference that counsel for the Defendant Enersafe, LLC was "unopposed" to the above-captioned motion. By way of clarification, the Defendant Enersafe, LLC expressly states that while it is not opposed to the filing of an Amended Complaint by the Plaintiff, it shall vigorously contest allegations to the affect that the Plaintiffs are entitled to overtime wages and that any potential class is comprised of similarly situated employees. In addition and to the extent that counsel for the Plaintiff is intending to do so, the Defendant Enersafe, LLC objects to and shall contest any effort to revert back the claims of potential Plaintiffs Brandon Copeland and Dakota Powell to the date the above-referenced litigation was initiated.

WHEREFORE, PREMISES CONSIDERED, the Defendant Enersafe, LLC respectfully requests that this Honorable Court receive and accept its Response to the Plaintiff's Unopposed Motion for Leave to File Amended Complaint.

Respectfully submitted,

MUNSCH, HARDT, KOPF & HARR, P.C.

By: /s/ Daniel D. Pipitone

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CERTIFICATE OF SERVICE

Pursuant to Rule 5 of the Federal Rules of Civil Procedure and to Local Rule LR5, the undersigned counsel for the Defendant certifies that the foregoing document has been filed with the Court and served upon all known counsel of record via the Court's electronic case filing system and by the method of service described below as follows, on this 3RD day of November, 2014.

Via E-File

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